REMARKS/ARGUMENTS

Applicants have carefully reviewed the Final Office Action mailed on May 4, 2006. Applicants respectfully traverse all objections, rejections, and assertions made by the Examiner. With this amendment, claims 41 are amended. No new matter is added. Claims 41-56 remain pending.

Claims Rejections under 35 U.S.C. § 102

Claims 41-53 are rejected under 35 U.S.C. § 102(b) as being anticipated by Parisi et al. (U.S. US Published Application No. 2001/0027310). Please note that claim 41 is amended to correct a clerical error. The Examiner indicated that Parisi et al. discloses a metallic filament that is treated to create a greater surface area after treatment. In support of the assertion, the Examiner pointed to paragraphs [0038-0039] of Parisi et al., which read as follows:

> [0038] Material forming outer tubular member 16 may be removed by various techniques. The technique utilized, however, must allow for the removal of material through the contoured regions of the structural member. In particular, this includes at least a portion of the polymeric material that flowed into the interstitial spaces of braided support member layer 14 during the second extrusion process. In order to achieve this level of specificity during the removal process, the removal process is generally performed by a directed heat source. Heating may be accomplished by any method currently known in the art, including but not limited to, direct current (DC), radiofrequency (RF), inductance, infrared radiation (IR) and electromagnetic radiation (LASER). In a preferred embodiment, material is removed by laser ablation.
>
> [0039] The process of laser ablation involves directing a laser at a desired location on catheter shaft 11 and ablating the surrounding outer tubular member material. The laser is guided through outer tubular member 16 and into the region forming structural member layer 14. Material is precisely ablated as to generally follow the contours of the filaments 30 forming the structural member layer 14.

While the cited paragraphs appear to describe the removal of a portion of the outer tubular member, it is not clear how this relates to treating a surface of a metallic filament. For example, claim 41 recites treating at least the portion of the surface of the one or more metallic filaments to provide a final surface area that is greater than the initial surface area. Because the

laser ablation described in Parisi et al. only appears to remove some of the outer tubular member and does not appear to treat the surface of one or more metallic filaments, Applicants respectfully submit that Parisi et al. does not teach or disclose this limitation. Accordingly, Applicants respectfully submit that claim 41 as well as those claims depending therefrom are patentable over Parisi et al.

The remaining independent claims 48 and 53 recite either (a) a reinforcing member including a metallic filament that includes a surface that includes a portion that has been treated to provide an increased surface area relative to a surface area of the portion prior to treatment or (b) a metallic reinforcing member including a surface, wherein at least a portion of the surface has been treated to provide an increased surface area relative to a surface area of the portion prior to treatment, respectively. Applicants respectfully submit that Parisi et al. does not teach or suggest these limitations and as such, these claims, as well as those claims depending therefrom, are patentable over Parisi et al.

Claims Rejections under 35 U.S.C. § 103

Claims 54-56 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Parisi et al. in view of Trotta (U.S. Patent No. 6,325,790). Claim 54 recites a braid including a plurality of metallic braid filaments each including a surface, wherein a portion of the surface of the filaments is chemically etched to provide a roughened surface. The Examiner asserted that Trotta teaches a metallic member that is chemically etched. In support of this assertion, the Examiner pointed to col. 8, ll. 5-21. The key sentence of this passage spans lines 9-11 where Trotta recites:

> An innermost TEFLON® tube with a metallic mandrel insert in its lumen is treated with a chemical etching solution or active gas plasma.

A careful reading of this sentence makes it clear that it is the TEFLON® tube that is chemically etched, not the mandrel (i.e., the verb "is" modifies the noun "tube"). Accordingly, Trotta does not teach a metallic member that is chemically etched much less a metallic braid filament that is chemically etched. Because of this, Applicants respectfully submit that the combination of

Parisi et al. and Trotta cannot defeat the patentability of claim 54 or claims 55-56 depending therfrom.

Conclusion

Reexamination and reconsideration are requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is also respectfully requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By his attorney,

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